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Attorneys for Mr. Mancilla

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE DANA M. SABRAW)

| | | |
|-------------------------------|---|--------------------------|
| UNITED STATES OF AMERICA, |) | Case No. 08CR2349-DMS |
| |) | |
| Plaintiff, |) | JOINT MOTION TO CONTINUE |
| |) | HEARING DATE |
| v. |) | |
| |) | |
| FELIX OVIEDO MANCILLA, |) | |
| |) | |
| Defendant. |) | |

The parties hereby file a joint motion requesting that the motion hearing and trial setting date in this matter presently scheduled before the Honorable Dana M. Sabraw for August 29, 2008 at 11:00 a.m. be continued to October 3, 2008, at 11:00 a.m. The motion is based upon the facts contained in the attached declaration. Defense counsel spoke with Assistant United States Attorney Dale Blankenship's assistant, Lillian Ruiz, telephonically on August 27, 2008. Mr. Blankenship was out of the office. Ms. Ruiz agreed to join the motion to continue the hearing. Mr. Mancilla is out of custody. Both parties agree that time is excludable under the Speedy Trial Act.

Respectfully submitted,

Date: August 27, 2008

/s/ Timothy R. Garrison
TIMOTHY R. GARRISON
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Mancilla
Timothy_Garrison@fd.org

Date: August 27, 2008

/s/ Dale Blankenship
Dale Blankenship
Assistant United States Attorney

CERTIFICATE OF SERVICE

Counsel for Defendant certifies that the foregoing is true and accurate to the best information and belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

Courtesy Copy to Chambers

Copy to Assistant U.S. Attorney via ECF NEF

Copy to Defendant

Dated: August 27, 2008

/s/ TIMOTHY R. GARRISON
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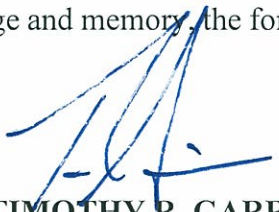
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE DANA M. SABRAW)

| | | |
|-------------------------------|---|---------------------------|
| UNITED STATES OF AMERICA, |) | Case No. 08CR2349-DMS |
| |) | |
| Plaintiff, |) | DECLARATION IN SUPPORT OF |
| |) | JOINT MOTION TO CONTINUE |
| v. |) | HEARING DATE |
| |) | |
| FELIX OVIEDO MANCILLA, |) | |
| |) | |
| Defendant. |) | |

I, TIMOTHY R. GARRISON, state the following, under penalty of perjury:

- I am an attorney with Federal Defenders of San Diego, Inc. I represent the defendant in this case and have personal knowledge of all matters contained herein.
- A continuance is necessary in this matter to allow defense counsel more time to investigate the case and prepare for the motion hearing. Mr. Mancilla is out of custody.

I swear that to the best of my knowledge and memory, the foregoing is true and correct this 27th day of August, 2008.


TIMOTHY R. GARRISON
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Timothy_Garrison@fd.org